

# MEXICO: RUSHING HEADFIRST INTO AN ABYSS OF HUMAN RIGHTS?

AMNESTY INTERNATIONAL:  
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## SUMMARY

This submission was prepared for the Universal Periodic Review (UPR) of Mexico in January-February 2024. In it, Amnesty International evaluates the implementation of recommendations made to Mexico in its previous UPR, including in relation to violence against women and girls, arbitrary arrest and detention, the national human rights commission, freedom of opinion and expression and accountability.

It also assesses the national human rights framework regarding excessive use of force, the autonomy of the judiciary, environmental defenders, and *arraigo* detention.

With regard to the human rights situation on the ground, Amnesty International raises concerns about the rights of women and girls to live a life free of violence, especially from femicide; the demilitarization of public security and law enforcement agencies; the right to social protest; the right to freedom of opinion and expression, and the safety of journalists.

It ends with a set of recommendations to Mexico which, if implemented, would contribute to improving the human rights situation.

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## FOLLOW UP TO THE PREVIOUS REVIEW

1. During its third review in 2018, Mexico received 264 recommendations, supporting 262, and noting two.<sup>1</sup>

### VIOLENCE AGAINST WOMEN AND GIRLS

2. Mexico supported recommendations regarding the right of women and girls to live a life free from violence, including the importance of the prevention and eradication of this form of violence,<sup>2</sup> the strengthening of the Gender-based Violence against Women Alert (AVGM),<sup>3</sup> and ensuring access to justice and reparation.<sup>4</sup> Four recommendations referred to femicide, in particular.<sup>5</sup>

### EXCESSIVE USE OF FORCE

3. Mexico supported recommendations to ensure that human rights violations committed by, or with the acquiescence of, security and/or Armed Forces are investigated, sanctioned and reparations made.<sup>6</sup> One recommendation stated the need to adopt additional measures regarding the limits on the use of force.<sup>7</sup> Nonetheless, major challenges remain to address impunity for human rights violations committed by the Armed Forces.

### RIGHT TO FREEDOM OF OPINION AND EXPRESSION

4. Mexico supported recommendations concerning the protection of journalists, including to strengthen the federal Mechanism for the Protection of Human Rights Defenders and Journalists;<sup>8</sup> to combat violence and harassment suffered by them; and to investigate and prosecute such attacks.<sup>9</sup> Nevertheless, investigations remain inadequate and impunity for such attacks is widespread.

### ARRAIGO

5. Regrettably, despite supporting a recommendation regarding *arraigo*<sup>10</sup> detention,<sup>11</sup> including to revoke all provisions in the Constitution and other laws that provide for it, and to investigate and prosecute every allegation of human rights violations committed under those laws, legal provisions for *arraigo* detention remain in force.

### NATIONAL HUMAN RIGHTS COMMISSION

6. Mexico supported one recommendation regarding the National Human Rights Commission (NHRC),<sup>12</sup> specifically to strengthen its autonomy and capacities. Nevertheless, this recommendation has not yet been implemented.

### ACCOUNTABILITY

7. In a welcome move, despite having only noted a recommendation to do so,<sup>13</sup> Mexico ratified the Kampala amendments (Article 8) of the Rome Statute of the International Criminal Court in September 2021. This contributes to the protection, promotion and respect for the human rights of victims of crimes and human rights violations.<sup>14</sup>
8. In a positive move, Mexico formally recognized the competence of the UN Committee on Enforced Disappearances in 2020,<sup>15</sup> as stated by four recommendations which were supported by this Government.<sup>16</sup> This individual complaints mechanism helps in the prevention of the enforced disappearances and the promotion of the rights of the disappeared and the families that have exhausted all domestic channels in their struggle for truth, justice and full reparation.<sup>17</sup>

## THE NATIONAL HUMAN RIGHTS FRAMEWORK

9. A new law on the use of force,<sup>18</sup> in force since 2019, does not regulate the use of lethal force and firearms by law enforcement officials according to international standards, and unduly restricts the right to peaceful assembly.

10. Despite the militarization of public security defended and promoted by the President and furthered by Congress, the National Human Rights Commission has not questioned these decisions, neither publicly nor in the courts. This has been considered by local organizations as a lack of impartiality.<sup>19</sup> Speedy implementation of supported recommendations from both the second<sup>20</sup> and third reviews<sup>21</sup> to strengthen the work of the NCHR would help address this concern.
11. When ruling against the president's initiatives, the Supreme Court has received consistent public attacks by the president that compromise the autonomy of the judiciary. For example, when the Supreme Court blocked the president's attempt to place the National Guard under the control of the military, the president accused the judges of "responding to the interests of the elites and not to the voice of people".<sup>22</sup> Speedy implementation of supported recommendations would help to preserve the independence of the judiciary and guarantee the rights to truth and justice.<sup>23</sup>
12. In January 2021, Mexico ratified the Escazú Agreement, which includes strong protections for Indigenous and environmental defenders.<sup>24</sup> However, the President responded by publicly accusing the human rights defenders who have expressed concern about the Mayan Train Project of being "false environmentalists".<sup>25</sup> Six UN Special Procedure mandate holders expressed concerns about that project, relating to Indigenous Peoples' rights to land, health, and environmental impacts.<sup>26</sup> This replicates concerns raised in Mexico's last UPR.<sup>27</sup>
13. *Arraigo* has not been repealed despite the fact that the IACHR ordered Mexico to eliminate it in 2022<sup>28</sup> and again in 2023.<sup>29</sup> The IACHR also stated that legal and constitutional provisions must be amended to make the mandatory pre-trial detention compatible with the American Convention on Human Rights.

## THE HUMAN RIGHTS SITUATION ON THE GROUND

### VIOLENCE AGAINST WOMEN AND GIRLS: FEMINICIDES

14. Instances of gender-based violence against women and girls have continued to rise since the last review in 2018. According to official data from the Executive Secretariat of the National Public Security System,<sup>30</sup> between 2018 and May 2023, at least 20,292 women were killed. This implies that almost 11 women are killed daily in Mexico. The prosecutors' offices decided to investigate 5,065 of these killings as alleged feminicides.
15. Since 2015 the "Gender-based Violence against Women Alert" (AVGM)<sup>31</sup> has been active in Mexico. It relies on coordinated efforts to prevent and address/respond to gender-based violence against women. Despite the activation of 25 AVGMs in 22 states of the country, impunity in the investigations of feminicides remain unabated.<sup>32</sup>
16. In 2021, Amnesty International documented four emblematic cases of feminicides.<sup>33</sup> The report shows shortcomings in the investigations such as loss of evidence, lack of proper investigations, failure in applying gender perspective, and threats to and revictimization of the victim's families. These patterns are similar to those found in Ciudad Juarez's feminicides investigations, as has been repeatedly highlighted by NGOs and rights holders.<sup>34</sup>

### SOCIAL PROTEST

17. People exercising their right to peacefully protest often face violations of their rights, including stigmatization, repression, unnecessary or disproportionate use of force, threats, digital harassment, lack of due process and access to justice, impunity, and sexual violence in case of women.
18. Stigmatization often comes from the highest authorities, including the president's daily morning press conference, where he often expresses strong criticism of journalists, human rights defenders and NGOs that question government actions, accusing them of being "conservatives", "opponents" as well as of resorting to "hammers, torches and Molotov cocktails" when participating in protests.<sup>35</sup>

19. Amnesty's report *The Age of Women: Stigma and violence against women protesters*<sup>36</sup> documented human rights violations committed by law enforcement officials against women demanding a life free from violence in Sinaloa, the State of Mexico, Mexico City, Guanajuato, and Quintana Roo in 2020. These violations include excessive and unnecessary use of force, illegal and arbitrary arrests, gender-based verbal and physical abuse, and sexual violence, stigmatization of feminist demonstrations as "violent" as well as discriminatory bias against women covering their faces. Currently, no one has been held to account for these abuses.
20. The criminal justice system is often used as a deterrence mechanism for those protesting especially for land, territorial, environmental and climate rights. Since the last review, Amnesty has documented cases of the criminalization of protest.<sup>37</sup> These cases show a tendency to criminalize leaders and human rights defenders by using vague or broad criminal offences or fabricating criminal charges against them. Violations of rights in these cases include lack of due process and access to justice, prolonged trial processes with the constant threat of deprivation of liberty, as well as lack of prior informed consent in the cases of indigenous communities, and impunity.

## SAFETY OF JOURNALISTS

21. Mexico is one of the most dangerous countries in the world for journalists. 2020<sup>38</sup> and 2022<sup>39</sup> were some of the deadliest years in Mexican history for the press, with at least 19 and 13 journalists killed respectively because of their work, more than in 2021<sup>40</sup> and 2019.<sup>41</sup>
22. At the federal level, since 2012, Mexico has had a Mechanism for the Protection of Human Rights Defenders and Journalists ("the Mechanism"),<sup>42</sup> which provides certain protection measures for people who have received attacks or threats. Currently, the Mechanism benefits more than 500 journalists,<sup>43</sup> but from 2017 to 2021, at least seven journalists have been killed despite having been afforded protection by the Mechanism.<sup>44</sup>
23. Furthermore, many cases remain without adequate investigation and the Mechanism continued to fall short of its goal to safeguard the lives and safety of these groups.<sup>45</sup> The Mechanism has not yet provided a strategy to respond to digital attacks and unlawful surveillance, such as from the NSO Group's spyware Pegasus.<sup>46</sup>

## MILITARIZATION

24. Mexico has relied on a heavily militarized public security strategy. A constitutional amendment in 2019<sup>47</sup> created the National Guard (GN), which was intended to be under civilian control. However, the GN is heavily influenced by the Armed Forces (AF); a former army general is in command, and most of its members were formerly part of the AF. The fifth transitory article in the constitutional reforms provided that the AF would participate in public security tasks for up to five years while the GN becomes fully operational.<sup>48</sup>
25. In 2020, an executive decree formally involved the AF in public security tasks until 2024,<sup>49</sup> a period that was recently extended after the Congress agreed to keep the army on the streets until 2028,<sup>50</sup> without a strategy for demilitarization of public security and law enforcement agencies and police reform. In November 2022, the Supreme Court resolved that the Presidential Decree of 2020 allowing the permanent participation of AF in public security operations until 2024 was constitutional.<sup>51</sup>
26. In September 2022, Congress approved an initiative that places the GN formally under the control of Mexico's Ministry of National Defence (SEDENA).<sup>52</sup> However, on 18 April 2023, the Supreme Court struck down the transfer of the GN to SEDENA.<sup>53</sup>
27. The GN is among the ten federal institutions with the highest number of complaints for human rights violations. The NHRC has received 1,200 complaints against the GN, since its creation in 2019 up to September 2022.<sup>54</sup> These complaints related to arbitrary detentions, torture and other ill-treatment, enforced disappearances and other violations. As for SEDENA and SEMAR (Secretariat of the Navy), from 2019 to September 2022, the NHRC collected 1,604 complaints and 1,553 respectively, regarding multiple violations of human rights, including torture and other ill-treatment, unlawful killings, enforced disappearances and arbitrary detentions.<sup>55</sup>

28. Participation of the AF in the public life of Mexico has increased the probability of being a victim of sexual torture when detained; led to more violations of judicial guarantees during detention; and fostered a lack of truth, transparency and accountability in its operations.<sup>56</sup>
29. In addition, military personnel have been directly linked to the enforced disappearance of the 43 Ayotzinapa students, extrajudicial executions and cases of torture and other ill-treatment.<sup>57</sup>

## RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW

### Amnesty International calls on the government of Mexico to:

#### National human rights framework

30. As Mexico previously agreed to do, strengthen the National Human Rights Commission so that it complies with the Paris Principles and ensure that its recommendations are in line with international human rights norms and standards, including consideration of the needs of victims as well as of standards on comprehensive reparations.
31. Ensure that law enforcement personnel and those working in the criminal justice system are provided with adequate resources to carry out their functions efficiently and in accordance with international human rights standards, including decent and appropriate compensation and working conditions.

#### Violence against women and girls

32. Publicly acknowledge the scale of the problem of feminicides and disappearances in Mexico, as well as the failings in the investigations into these crimes, and send a clear message that these crimes will no longer be tolerated or go unpunished.
33. Guarantee full reparations family members of femicide victims in line with the “Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law” and the CEDAW General Recommendation 35.
34. Investigate the problem of failures in criminal investigations of crimes of violence against women, especially feminicides and disappearances and issue recommendations that address the aspects highlighted in this report, such as excessive workloads, failure to investigate, the application of a gender perspective, the collection and safeguarding of evidence and the need for training of public servants in Public Prosecutors’ Offices.

#### Social Protest

35. Publicly recognize the legitimacy of the right to peaceful protest, facilitate and protect persons exercising this right, and abstain from their stigmatization and criminalization.
36. Carry out prompt, thorough, independent and impartial investigations, with a gender and intersectional perspective, into violations of human rights occurring before, during and after protests.
37. Guarantee access to justice and full reparation for victims of human rights violations in the context of protests in line with the “Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law”.
38. Amend the National Law on the Use of Force (specifically Articles 27, 28 and 36) in line with international human rights law, the “Basic Principles on the Use of Force and Firearms by Law Enforcement Officials”, the UN Code of Conduct for Law Enforcement Officials, and in accordance with relevant judgments issued by the IACHR.

39. Create an enabling legal framework for the exercise of the right to protest, and undertake analysis of state, municipal and federal legislation, particularly the types of offences used to criminalize the right to peacefully protest, with a view to their amendment or repeal to ensure they fully align with relevant international human rights standards.
40. Create an independent national observatory, with the participation of civil society, for accountability and monitoring the deployment of the National Guard in relation to social protest, including the use of force.
41. Establish an ongoing monitoring and oversight national mechanism to measure and evaluate the effectiveness of existing policies, protocols and guidelines on the use of force.

### **Safety of Journalists**

42. Guarantee the autonomy of the Attorney General's Office by ensuring the necessary infrastructure to carry out its function efficiently and with decent working conditions, and training programs focused on the technical aspects of investigations with a gender perspective, human rights and intercultural approach. In order to reduce impunity for access to truth and justice for crimes and human rights violations committed against journalists.
43. Investigate public servants responsible for misconduct or crimes against the victims and victims' families and impose adequate disciplinary measures when appropriate.
44. Provide the Mechanism for the Protection of Human Rights Defenders and Journalists with enough resources and adequate personnel to meet the demands for effective protection measures.
45. Guarantee that risk assessments and the implementation of protection measures for journalists are carried out in a timely manner ensuring that these also fully incorporate both a gender and intersectional approach to ensure their effectiveness.

### **Militarization of Public Security**

46. Develop a plan for the withdrawal, by 2028, of the Armed Forces from public security and administrative tasks, while strengthening effective and respectful human rights public security policies.
47. Strengthen the accountability of military institutions to civilian institutions, particularly between the Armed Forces and the legislative and judicial branches.

## ANNEX 1

### KEY AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE

Amnesty International, “Annual Report 2017/18- Mexico”, 22 February 2018, Available at: <https://www.amnesty.org/en/wp-content/uploads/2021/05/POL1067002018ENGLISH.pdf>

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Amnesty International, “Annual Report 2022/23”- Mexico, 27 march 2023, available at: <https://www.amnesty.org/es/documents/pol10/5670/2023/en/>

Amnesty International, “Human Rights in the Americas. Review of 2019”, 27 February 2020, available at: <https://www.amnesty.org/en/documents/amr01/1353/2020/en/>

Amnesty International, “Massive data leak reveals Israeli NSO Group’s spyware used to target activists, journalists, and political leaders globally”, 19 July 2021: <https://www.amnesty.org/en/latest/press-release/2021/07/the-pegasus-project/>

Amnesty International, “Mexico: Amnesty International issues warning about lack of progress on human rights after one year of the new government”, 27 November 2019: <https://www.amnesty.org/en/latest/press-release/2019/11/mexico-ammnistia-internacional-alerta-sobre-la-falta-de-avances-en-derechos-humanos-del-nuevo-gobierno/>

Amnesty International, “Mexico: Authorities must not criminalize land defenders in Cuetzalan, 5 July 2018”:  
<https://www.amnesty.org/en/latest/news/2018/07/mexico-autoridades-no-deben-criminalizar-a-personas-defensoras-del-territorio-en-cuetzalan/>

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<https://www.amnesty.org/en/latest/news/2018/07/mexico-defender-tu-hogar-de-un-proyecto-electrico-puede-costarte-la-vida/>

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Amnesty International, “Mexico: Justice on Trial: Failures in criminal investigations of feminicides preceded by disappearance in the State of Mexico”, 20 September 2021, available at:  
<https://www.amnesty.org/en/documents/amr41/4556/2021/en/>

Amnesty International, “Mexico: Militarization of public security will lead to more human rights violations and perpetuate impunity”, 9 September 2022: <https://www.amnesty.org/en/latest/news/2022/09/mexico-militarizing-public-security-human-rights-violations-impunity/>

Amnesty International, “Mexico’s new National Guard is breaking its vow to respect human rights”, 8 November 2020:  
<https://www.amnesty.org/en/latest/news/2020/11/mexicos-national-guard-breaking-vow-respect-human-rights/>

Amnesty International, “Mexico: The new government’s plan must focus on withdrawing the Armed Forces from public security roles”, 15 November 2018: <https://www.amnesty.org/en/latest/press-release/2018/11/mexico-el-plan-del-nuevo-gobierno-debe-enfocarse-en-retirar-las-fuerzas-armadas-de-funciones-de-seguridad-publica/>

Amnesty International, “The Age of Women. Stigma and violence against women protesters”, 3 March 2021, available at:  
<https://www.amnesty.org/es/documents/amr41/3724/2021/es/>



## ANNEX 2

### MATRIX OF RECOMMENDATIONS FROM THE PREVIOUS CYCLE, WITH COMMENTS ON PROGRESS

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<b><i>Theme: A12 Acceptance of international norms</i></b>			
132.10 Recognize the competence of the Committee on Enforced Disappearances to receive individual complaints, pursuant to articles 31 and 32 of the Convention (Costa Rica); <b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6	Supported	A12 Acceptance of international norms D32 Enforced disappearances D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - disappeared persons	<b>IMPLEMENTED</b> See paragraph 8 above. The Government of Mexico formally recognized the competence of the UN Committee on Enforced Disappearances in October 2020.
<b><i>Theme: A41 Constitutional and legislative framework</i></b>			
132.41 Adopt additional measures to guide those who are responsible for law enforcement as to the limits of the use of force and to bolster training programmes in human rights for police authorities (Brazil); <b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6	Supported	A41 Constitutional and legislative framework A42 Institutions & policies - General D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general - law enforcement / police officials	<b>PARTLY IMPLEMENTED</b> See paragraphs 3, 9, 17 and 19 above. Amnesty International has recommended to ensure continuous training for police forces to equip them with theoretical and practical tools, in accordance with international best practices, on human rights, including women's rights, gender based violence, the right to peaceful protest and the UN Basic Principles on the Use of Force and Firearms. This training must be carried out in working hours, independently from the time assigned to other training, and be continuous.
132.61 Repeal provisions in the Constitution and in laws that provide for arraigo detention and investigate and prosecute allegations of violations of human rights committed under these laws (Pakistan); <b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6	Supported	A41 Constitutional and legislative framework D26 Conditions of detention D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - persons deprived of their liberty	<b>NOT IMPLEMENTED</b> See paragraphs 5 and 13 above. Arraigo has not been repealed despite the fact that the IACHR ordered Mexico to eliminate it in 2022 and in 2023. The IACHR has stated that legal and constitutional provisions must be amended to make the mandatory pre-trial detention compatible with the American Convention.
<b><i>Theme: A45 National Human Rights Institution (NHRI)</i></b>			



Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>132.12 Strengthen the capacities and autonomy of the National Human Rights Commission (Ukraine);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>A45 National Human Rights Institution (NHRI)</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - general</p>	<p><b>PARTLY IMPLEMENTED</b></p> <p>See paragraphs 6 and 10 above.</p> <p>The work of the NCHR must comply with the Paris Principles and ensure that its recommendations are in line with the international norms and standards, including considering the needs of the victims as well as the standards on comprehensive reparations</p>
<b>Theme: B52 Impunity</b>			
<p>132.66 Conduct thorough, independent and impartial investigation into femicide ensuring that the perpetrators are brought to justice and guaranteeing reparation for victims and their families for the harm suffered (Belgium);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>B52 Impunity</p> <p>F13 Violence against women</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - women</p>	<p><b>NOT IMPLEMENTED</b></p> <p>See paragraphs 14, 15 and 16 above.</p> <p>Amnesty International authorities have failed to ensure effective investigations to determine other alleged perpetrators in the cases as well as the rights of the victims and their families</p>
<b>Theme: D32 Enforced disappearances</b>			
<p>132.7 Consider accepting the competence of the Committee on Enforced Disappearances to receive individual complaints (Paraguay);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>D32 Enforced disappearances</p> <p>D33 Arbitrary arrest and detention</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - disappeared persons</p>	<p><b>IMPLEMENTED</b></p> <p>See paragraph 8 above.</p> <p>In 2020, Mexico signed the Declaration of the United Mexican States to recognize the competence of the United Nations Committee on Enforced Disappearances (CED) to receive and examine communications submitted by or on behalf of individuals under its jurisdiction.</p>
<p>132.8 Recognize the competency of the Committee on Enforced Disappearances (Benin);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>D32 Enforced disappearances</p> <p>D33 Arbitrary arrest and detention</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - disappeared persons</p>	<p><b>IMPLEMENTED</b></p> <p>See paragraph 8 above.</p> <p>In 2020, Mexico signed the Declaration of the United Mexican States to recognize the competence of the United Nations Committee on Enforced Disappearances (CED) to receive and examine communications submitted by or on behalf of individuals under its jurisdiction.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>132.9 Accept the competence of the Committee on Enforced Disappearances to receive and consider individual and inter-State communications, pursuant to articles 31 and 32 of the Convention (Uruguay);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>D32 Enforced disappearances D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - disappeared persons</p>	<p><b>IMPLEMENTED</b></p> <p>See paragraph 8 above.</p> <p>In 2020, Mexico signed the Declaration of the United Mexican States to recognize the competence of the United Nations Committee on Enforced Disappearances (CED) to receive and examine communications submitted by or on behalf of individuals under its jurisdiction.</p>
<p>132.79 Adequately investigate killings and disappearances of journalists and effectively implement the federal mechanism for the protection of human rights defenders and journalists (New Zealand);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>D32 Enforced disappearances H1 Human rights defenders D51 Administration of justice &amp; fair trial B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - media - human rights defenders</p>	<p><b>NOT IMPLEMENTED</b></p> <p>See paragraphs 4, 17, 18, 19, 20, 21, 22 and 23 above.</p> <p>Amnesty International is aware that human rights defenders continued to be subjected to threats, stigmatization, unjust imprisonment, torture and killings. Some of the families of human rights defenders were also threatened. Women human rights defenders were additionally subjected to sexual violence. It is important to notice that killings of journalists remained at record levels and many of the victims had been granted official protection measures.</p>
<b>Theme: D43 Freedom of opinion and expression</b>			
<p>132.137 Ensure freedom of expression, promptly and impartially investigate all cases of attacks against journalists and human rights defenders, and bring perpetrators to justice (Estonia);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>D43 Freedom of opinion and expression H1 Human rights defenders D51 Administration of justice &amp; fair trial S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - media - human rights defenders</p>	<p><b>NOT IMPLEMENTED</b></p> <p>See paragraphs 4, 17, 18, 19, 20, 21, 22 and 23 above.</p> <p>The stigmatization, criminalization and attacks towards human right defenders and journalist have increased. Impunity for such attacks is rife.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>132.138 Protect freedom of expression by effectively prosecuting perpetrators of attacks against journalists and human rights defenders (Lithuania);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>D43 Freedom of opinion and expression H1 Human rights defenders D51 Administration of justice &amp; fair trial S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - media - human rights defenders</p>	<p><b>NOT IMPLEMENTED</b></p> <p>See paragraphs 4, 17, 18, 19, 20, 21, 22 and 23 above.</p> <p>The stigmatization, criminalization and attacks towards human right defenders and journalist have increased. Impunity for such attacks is rife.</p>
<b>Theme: D51 Administration of justice &amp; fair trial</b>			
<p>132.71 Ensure that all violations of human rights committed by defence and security forces – disproportionate use of force, torture, ill-treatment, arbitrary detentions – are independently and impartially investigated (France);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>D51 Administration of justice &amp; fair trial B51 Right to an effective remedy D25 Prohibition of torture and cruel, inhuman or degrading treatment D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - persons deprived of their liberty</p>	<p><b>NOT IMPLEMENTED</b></p> <p>See paragraphs 3, 27, 28 and 29.</p> <p>The National Guard and the Ministry of Defence (SEDENA) have been among the 10 federal institutions which received the highest number of complaints for human rights violations during the last years. Also, the lack of transparency, accountability, and access to information made it difficult for victims of human rights violations and their families to access truth, justice, and reparations.</p>
<p>132.73 Conduct prompt, thorough, independent and impartial investigations into attacks against journalists and human rights defenders, and ensure that any perpetrator can be brought to justice in a fair trial; ensure that the Mexican Federation’s protection mechanism for journalists and human rights defenders receives long-term funding and political support (Germany);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>D51 Administration of justice &amp; fair trial B51 Right to an effective remedy H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - media - human rights defenders</p>	<p><b>NOT IMPLEMENTED</b></p> <p>See paragraphs 4, 17, 18, 19, 20, 21, 22 and 23 above.</p> <p>Many cases remained without proper investigation, and the Protection Mechanism for Human Rights Defenders and Journalists continued to fail to fulfil its objective of safeguarding the lives and physical safety of these groups.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>132.70 Adopt measures that would ensure thorough investigation of all attacks and threats against journalists and that would guarantee victims' rights, including effective remedies (Czechia);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>D51 Administration of justice &amp; fair trial B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- media</li> <li>- human rights defenders</li> </ul>	<p><b>NOT IMPLEMENTED</b></p> <p>See paragraphs 4, 17, 18, 19, 20, 21, 22 and 23 above.</p> <p>Many cases remained without proper investigation, and the Protection Mechanism for Human Rights Defenders and Journalists continued to fail to fulfil its objective of safeguarding the lives and physical safety of these groups.</p>
<p>132.99 Continue its efforts to enhance the rule of law and adopt measures to guarantee effective protection of citizens, especially journalists and human rights defenders, by ensuring prompt and effective investigations of threats, attacks and killings (Italy);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>D51 Administration of justice &amp; fair trial H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- media</li> <li>- judges, lawyers and prosecutors</li> <li>- human rights defenders</li> </ul>	<p><b>NOT IMPLEMENTED</b></p> <p>See paragraphs 4, 17, 18, 19, 20, 21, 22 and 23 above.</p> <p>2022 was the deadliest year in history for the national press. Mexico is one of the most lethal countries on the continent to practice journalism. Many cases were not properly investigated.</p>
<b>Theme: F12 Discrimination against women</b>			
<p>132.192 Continue and expand measures to address all attitudes and stereotypes that lead to and result in discrimination and violence against women and girls (Guyana);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>F12 Discrimination against women F13 Violence against women S05 SDG 5 - gender equality and women's empowerment</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- women</li> <li>- girls</li> </ul>	<p><b>NOT IMPLEMENTED</b></p> <p>See paragraphs 14, 15, 16 and 19 above.</p> <p>Structural violence against women continued to undermine their right to a life free of violence and to enjoy a safe environment without fear.</p>
<p>132.194 Take all appropriate measures to address patriarchal attitudes and gender stereotypes, including reviewing laws, customs and practices that may constitute discrimination against women and girls (Rwanda);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- women</li> </ul>	<p><b>NOT IMPLEMENTED</b></p> <p>See paragraphs 14, 15, 16 and 19 above.</p> <p>The government continues to stigmatize feminists and human rights defenders protesting against its inaction on gender-based violence and, in some states, security forces violently repressed women protesters.</p>

**Theme: F13 Violence against women**

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>132.204 Step up the fight against gender-based violence, including violence against girls and femicide (Estonia);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>F13 Violence against women A42 Institutions &amp; policies - General S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - women</p>	<p><b>PARTIALLY IMPLEMENTED</b></p> <p>See paragraphs 14, 15, 16 and 19 above.</p> <p>According to official data, almost 11 women are murdered every day in Mexico. Structural violence against women continued to undermine women's rights to live a life free of violence and in a safe environment without fear.</p>
<p>132.213 Continue to take effective measures to address gender-based violence (Nepal);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>F13 Violence against women A42 Institutions &amp; policies - General S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - women</p>	<p><b>PARTIALLY IMPLEMENTED</b></p> <p>See paragraphs 14, 15, 16 and 19 above.</p> <p>According to official data, almost 11 women are murdered every day in Mexico. Structural violence against women continued to undermine women's rights to live a life free of violence and in a safe environment without fear.</p>
<p>132.222 Adopt effective measures to address the problem of the increased violence against women, especially that leading to the killing of women (Syrian Arab Republic);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>F13 Violence against women A42 Institutions &amp; policies - General S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - women</p>	<p><b>PARTIALLY IMPLEMENTED</b></p> <p>According to official data, almost 11 women are murdered every day in Mexico. Structural violence against women continued to undermine women's rights to live a life free of violence and in a safe environment without fear.</p>
<p>132.202 Develop actions for the prevention of all forms of violence against women and for the assistance and protection of victims, as well as to raise awareness among the population and public officers (Cuba);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>F13 Violence against women A54 Awareness raising and dissemination S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - women</p>	<p><b>PARTIALLY IMPLEMENTED</b></p> <p>See paragraphs 14, 15, 16 and 19 above.</p> <p>Since 2015 the Gender-based Violence against Women Alert (AVGM) has been active in Mexico. It relies on coordinated efforts to confront and eradicate this violence. Despite the activation of 25 AVGMs in 22 states of the country, impunity in the investigations of feminicides remain unabated.</p>



Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>132.219 Strengthen governmental efforts and resources to combat and investigate violence against women, including domestic violence (Republic of Korea);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>F13 Violence against women D29 Domestic violence A62 Statistics and indicators S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - women</p>	<p><b>PARTIALLY IMPLEMENTED</b></p> <p>See paragraphs 14, 15, 16 and 19 above.</p> <p>Amnesty International's research have found that investigations into feminicides in Mexico are failing because evidence is lost, the level of investigation is inadequate and a gender perspective is not applied correctly. In addition, families are re-victimized because they have to spend time and money investigating cases themselves or putting pressure on the authorities to investigate. They are also re-victimized by the frequent threats and harassment they face from the perpetrators and sometimes also from the authorities.</p>
<p>132.212 Continue to address the problem of gender violence, particularly in terms of access to justice for the women affected (Malaysia);</p> <p><b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6</p>	Supported	<p>F13 Violence against women D51 Administration of justice &amp; fair trial B51 Right to an effective remedy S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions</p> <p><b>Affected persons:</b> - women</p>	<p><b>PARTIALLY IMPLEMENTED</b></p> <p>See paragraphs 14, 15, 16 and 19 above.</p> <p>Amnesty International has documented that feminicides investigations are failing because evidence is lost, the level of investigation is inadequate and a gender perspective is not applied correctly. In addition, families are re-victimized because they have to spend time and money investigating cases themselves or putting pressure on the authorities to investigate. They are also re-victimized by the frequent threats and harassment they face from the perpetrators and sometimes also from the authorities.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
132.203 Step up actions to prevent and eradicate gender violence (Ecuador); <b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 6	Supported	F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	<b>PARTIALLY IMPLEMENTED</b> See paragraphs 14, 15, 16 and 19 above. Since 2015 Gender-based Violence against Women Alert (AVGM) has been active in Mexico. It relies on coordinated efforts to confront and eradicate this violence. Despite the activation of 25 AVGMs in 22 states of the country, impunity in the investigations of feminicides remains unabated
<b>Theme: A12 Acceptance of international norms</b>			
132.5 Ratify the Kampala amendments to the Rome Statute (Liechtenstein); <b>Source of position:</b> A/HRC/40/8/Add.1 - Para. 5a	Noted	A12 Acceptance of international norms B11 International humanitarian law B52 Impunity B54 Transitional justice S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>IMPLEMENTED</b> See paragraph 7 above. In 2021, the Senate of the Republic approved the Amendments to Article 8 of the Rome Statute of the International Criminal Court.

1 UN General Assembly, Report of the Human Rights Council on its Fortieth Session, UN Doc. A/HRC/40/2, 11 January 2021, paragraph 54. In its response to the outcome report, Mexico supported 262 recommendations, and noted two recommendations: one regarding the ratification of the Kampala amendments to the Rome Statute (Liechtenstein), and another regarding the respect and defense of life from conception to natural death (Holy See). Human Rights Council, Report of the Working Group on the Universal Periodic Review– Mexico (Addendum), A/HRC/40/8/Add.1, 12 February 2019, paragraph 5.

2 UN Human Rights Council, Report of the Working Group on the Universal Periodic Review– Mexico, A/HRC/40/8, 27 December 2018, UN Doc. A/HRC/40/8, Recommendations: 132.37 (Australia), 132.45 (Liechtenstein), 132.192 (Guyana), 132.195 (Serbia), 132.198 (Sri Lanka), 132.202 (Cuba), 132.203 (Ecuador), 132.207 (Albania), 132.208 (Italy), 132.211 (Lithuania), 132.213 (Nepal), 132.215 (Philippines), 132.216 (Portugal), 132.218 (Armenia), 132.219 (Korea), 132.220 (Republic of Moldova), 132.221 (Spain), 132.222 (Syrian Arab Republic).

3 A/HRC/40/8. Recommendations 132.200 (Austria), 132.205 (France), 132.214 (Norway).

4 A/HRC/40/8. Recommendations 132.76 (Lithuania), 132.212 (Malaysia), 132.219 (Korea), 132.201 (Cuba).

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6 A/HRC/40/8. Recommendations on enforced disappearances: 132.7 (Paraguay), 132.8 (Benin), 132.9 (Uruguay), 132.10 (Costa Rica), 132.47 (Botswana), 132.48 (Czechia), 132.49 (Germany), 132.51 (Italy), 132.53 (Republic of Korea), 132.54 (Spain), 132.55 (Switzerland), 132.56 (Turkey), 132.58 (Belarus), 132.63 (United States of America), 132.65 (Belgium), 132.68 (Canada), 132.69 (Chile), 132.72 (France), 132.74 (Ghana), 132.76 (Lithuania), 132.77 (Argentina), 132.81 (Poland), 132.83 (United States of America), 132.50 (Greece), 132.52 (Montenegro), 132.157 (Ireland), 132.156 (Hungary); recommendations on preventing torture: 132.11 (Belarus), 132.56 (Turkey), 132.57 (Finland), 132.58 (Belarus), 132.59 (Ghana), 132.60 (Norway), 132.83 (United States of America), 132.100 (New Zealand); recommendations on extrajudicial, summary or arbitrary executions: 132.11 (Belarus), 132.81 (Poland); recommendations on grave human rights violations: 132.71 (France), 132.86 (United Kingdom of Great Britain and Northern Ireland), 132.89 (Denmark).

7 A/HRC/40/8, recommendation 132.41 (Brazil)

8 A/HRC/40/8, recommendations: 132.23 (Bolivia), 132.73 (Germany), 132.79 (New Zealand), 132.110 (Austria), 132.113 (Cameroon), 132.114 (Canada), 132.115 (Colombia), 132.116 (Costa Rica), 132.118 (Czechia), 132.121 (France), 132.122 (Greece), 132.123 (Albania), 132.124 (Lithuania), 132.126 (Netherlands), 132.128 (Korea), 132.129 (Slovakia), 132.131 (Slovenia), 132.132 (Spain), 132.133 (Australia), 132.134 (Sweden), 132.136 (Switzerland).

9 A/HRC/40/8. Recommendations: 132.70 (Czechia), 132.73 (Germany), 132.75 (Hungary), 132.78 (Argentina), 132.79 (New Zealand), 132.82 (Sweden), 132.99 (Italy), 132.105 (Poland), 132.111 (Brazil), 132.112 (Belgium), 132.120 (Finland), 132.126 (Netherlands), 132.137 (Estonia), 132.138 (Lithuania).

10 Arraigo: The Law allows the Public Prosecutor's Office (in the investigation of a crime and integration of a Preliminary Investigation) to request an order from a Judge in order to prevent a person from leaving a specific place. It is requested when an Investigation has already been initiated, but evidence is still being gathered to



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- 11 A/HRC/40/8. Recommendation 132.61 (Pakistan).
- 12 A/HRC/40/8. Recommendation 132.12 (Ukraine).
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